

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M248788
E/afa

CHERYL E. CHAMBERS, J.P.
JEFFREY A. COHEN
COLLEEN D. DUFFY
FRANCESCA E. CONNOLLY, JJ.

2012-04853

DECISION & ORDER ON MOTION

In the Matter of Terry Daum, appellant,
v Brian Fischer, etc., respondent.

(Index No. 3366/09)

Motion by the appellant to recall and vacate so much of a decision and order on motion of this Court, entitled “In the Matter of the Dismissal of Causes for Failure to Perfect,” dated February 19, 2013, as dismissed an appeal from a judgment of the Supreme Court, Dutchess County, dated August 5, 2009, in the above-entitled matter for failure to timely perfect, and to reinstate the appeal.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is denied.

CHAMBERS, J.P., COHEN, DUFFY and CONNOLLY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

April 16, 2018

MATTER OF DAUM v FISCHER